

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:05cr4

UNITED STATES OF AMERICA

vs.

REGINALD LeCRAIG BRUCE

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ORDER

THIS MATTER is before the Court upon motion of the defendant pro se for to receive credit for jail time spent in state custody. (Doc. No. 26).

In the motion, the defendant claims that the Court ordered his federal sentence to be served concurrently with a state sentence, although he admits that the judgment is silent on that issue. (Doc. No. 26: Motion at 2). The Court has reviewed a rough version of the transcript of the sentencing hearing. The defendant never requested a concurrent sentence. Accordingly, the Court finds that the defendant is not entitled to relief. See also United States v. Ford, 228 Fed. Appx. 304, 305-06 (4th Cir. 2007) (rejecting argument that silent judgment called for concurrent sentence because a federal sentence is to be served consecutively to an undischarged term of imprisonment for state offense pursuant to 18 U.S.C. § 3584(a) and USSG §5G1.3).

IT IS, THEREFORE, ORDERED, that the defendant's pro se motion (Doc. No. 26) is DENIED.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals service, and the U.S.

Probation office.

Signed: December 9, 2008

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

